

Trafficking in Persons Report -

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PHILIPPINES (Tier 2)

The Philippines is a source, transit, and destination country for men, women, and children trafficked for the purposes of sexual exploitation and forced labor. A significant number of Filipino men and women who migrate abroad for work are subjected to conditions of involuntary servitude in Saudi Arabia, Kuwait, the United Arab Emirates, Qatar, Bahrain, Malaysia, Hong Kong, Singapore, Japan, South Africa, North America, and Europe. Women and children are also trafficked within the Philippines, primarily from rural areas, such as the Visayas and Mindanao, to urban areas for forced labor as domestic workers, and factory workers, and in the drug trade, and for sexual exploitation. A smaller number of women are occasionally trafficked from the People's Republic of China (P.R.C.), South Korea, Japan, and Russia to the Philippines for sexual exploitation. Foreign tourists, particularly other Asians, sexually exploit women and children in the Philippines.

The Government of the Philippines does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Philippines government demonstrated exemplary efforts to prevent the trafficking of migrant workers and to protect those who were exploited abroad. However, the government demonstrated weaker efforts to combat internal sex and labor trafficking. There was only one conviction under the 2003 anti-trafficking law during the reporting period. The Philippines government should make greater efforts to combat internal trafficking by increasing public awareness activities and vigorously prosecuting those exploiting victims as well as making greater efforts to prosecute and convict public officials who profit from or are involved in trafficking.

Prosecution

The Philippine government showed some improvement in arresting, prosecuting, and convicting traffickers. The Philippines criminally prohibits trafficking for both sexual and labor exploitation through its 2003 Anti-Trafficking in Persons Act. Penalties prescribed for trafficking for commercial sexual exploitation are commensurate with those for rape, and overall penalties prescribed for trafficking offenses are sufficiently stringent. There was only one conviction under the country's trafficking law during the reporting period. A court in Zamboanga City sentenced a member of a trafficking syndicate to life imprisonment in March 2007 for having recruited six victims and peddled them to a brothel in Sandakan, Malaysia. The case is the fifth conviction under the 2003 Philippines anti-trafficking law that has resulted in a jail sentence.

In 2006, law enforcement agencies filed 60 new trafficking cases with the Department of Justice. In addition, Philippines law permits private prosecutors to prosecute cases under the direction and control of a public prosecutor. The government has used this provision effectively, allowing and supporting an NGO to file 23 cases. In total, the government is currently engaged in 107 prosecutions of trafficking crimes, with more being investigated. The government has 17 dedicated anti-trafficking prosecutors in the Department of Justice (DOJ), and 72 additional prosecutors in regional DOJ offices. The Secretary of Justice issued a DOJ Circular instructing that all trafficking cases should receive preferential attention for initiating prosecutions in the courts.

The Philippines Coast Guard, under the Department of Transportation and Communication, searched several ferries in order to identify trafficking victims and recruiters. Although there was no evidence of government complicity in trafficking at an institutional level, individual and groups of customs officials, border guards, local police, and immigration officers reportedly received bribes from traffickers or otherwise assisted in their operations. Corruption in the government and the general ineffectiveness of the judicial system impeded the government's ability to effectively prosecute trafficking cases. In 2005, police and the DOJ charged a police officer for allegedly trafficking minors for sexual exploitation at his Manila nightclub. Trial hearings continued in 2006, and a decision is expected in 2007. In December 2006, a top executive of the National Labor Relations Commission was suspended for three months for allegedly accepting a bribe from a labor recruiter, applying for a license to operate a recruitment agency.

Child Sex Tourism

In 2006, five foreign tourists were arrested by Filipino police for sexually exploiting Filipino children. The Philippines continued to assist U.S. law enforcement authorities in the transfer to U.S. custody of Americans who sexually exploited children.

Protection

The Philippine government demonstrated increased efforts to protect victims of trafficking in 2006, though it continued to rely heavily on NGOs and international organizations to provide services to victims. The government actively encouraged victims to assist in the investigation and prosecution of trafficking and related crimes. Victims can file civil suits against traffickers. The government does not penalize victims for any crimes committed as a direct result of their being trafficked. The implementing rules of the 2003 anti-trafficking law outline identification and referral procedures. The government assisted victims by providing temporary residency status, relief from deportation, shelter, and access to legal, medical, and psychological services. The Department of Social Welfare and Development operated 42 temporary shelters for victims throughout the country. Thirteen of these shelters were supported by a non-profit charity organization.

The government deployed eight social workers to Philippine diplomatic missions to provide psychosocial counseling to overseas foreign workers in distress. A social welfare attaché stationed in Malaysia coordinated with the Malaysian government in rescuing and repatriating Filipino victims of trafficking. The Department of Foreign Affairs assisted victims trafficked abroad and oversaw voluntary repatriation of victims. The Philippine Ports Authority provided the building and amenities for halfway houses in Manila, Davao, Batangas, and Sorsogon, which were managed by an NGO; the Ports Authority, police, and the Coast Guard referred victims to the halfway houses. In March 2007, the Department of Labor and Employment opened the first reintegration center where returning overseas Filipino workers may seek services such as skills training, psycho-social counseling, and business development assistance.

Prevention

The Philippine government demonstrated continued efforts to raise awareness and prevent trafficking in persons. In 2007, the government's Interagency Council Against Trafficking established its first anti-trafficking task force at Manila's international airport to share information on traffickers and assist victims. In 2006 the Philippine Overseas Employment Agency (POEA) issued new employment requirements for overseas Filipino household workers to protect them from widespread employer abuse and trafficking. The new requirements increased the minimum monthly wage from \$200 to \$400 and raised the minimum age from 18 to 23. In addition, prospective domestic workers must obtain a certificate of competency from the Technical Education and Skills Development Authority and the Overseas Workers' Welfare Administration to attest to their skills and employers are required to submit employment contracts for verification.

POEA conducted nearly 1,000 pre-employment orientation seminars for more than 60,000 departing overseas Filipino workers in 2006. POEA also trained diplomatic staff and overseas labor and social welfare officers in methods for assisting trafficking victims abroad. To protect overseas Filipino domestic workers from illegal recruitment, foreign employers are required to undergo pre-qualification screening by the Philippine Overseas Labor Office and submit a written statement committing themselves to the fair and humane treatment of their domestic workers. The government produced an anti-trafficking infomercial that aired on local TV networks throughout the country in 2006. The government also created the Task Force Against Illegal Recruitment to develop strategies against illegal recruitment activities.